

REMARKS

Applicants acknowledge receipt of the Examiner's Final Office Action dated February 26, 2010.

Claims 1, 3, 6-9, 11, 14-17, 19, 22-27, and 33 are pending.

Claims 1, 3, 6-9, 11, 14-17, 19, 22-27, and 33 have been rejected.

Claims 1, 6-9, 14-15, 17, 22-23, and 33 have been amended. Support for these amendments can be found, at least, in paragraphs 19, 34, 36, 42, and 49 of the specification. No new matter has been added.

Rejection of Claims under 35 U.S.C. § 112

Claims 6-8, 14-16, 22-24, and 33 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for purportedly failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Applicants submit that the amendments to the independent claims resolves the ambiguity at issue in the §112 rejection of claims 6-8, 14-16, and 22-24. As such, the rejection of these claims is believed to now be moot. Claim 33 has been amended to provide correct antecedent basis. Accordingly, the rejection of this claim is believed to be overcome.

Rejection of Claims under 35 U.S.C. § 101

Claims 9, 11, 14-16, and 26 stand rejected under 35 U.S.C. § 101 as allegedly failing to recite statutory subject matter. Applicants have amended independent claim 9 to recite that the computer readable storage medium is a tangible medium. Accordingly, the claims clearly do not read on non-tangible media such as wireless signals. As such, this rejection is believed to be overcome.

Rejection of Claims under 35 U.S.C. § 103

Claims 1, 3, 6-9, 11, 14-17, 19, and 22-27 and 33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0069094 by Bingham *et al.*, (Bingham) and further in view of “Christmas in Williamsburg” by Edward B. Fiske (Fiske), in view of StubHub: “Leo Kottke-University of San Francisco Gershwin Theatre Tickets” (StubHub).

As amended, claim 1 recites a method that involves, in pertinent part:

- determining that none of the plurality of function spaces in the category that satisfy the one or more of the plurality of criteria are available on the future date;
- accessing the authorization level for the category, in response to the determining that none of the plurality of function spaces are available, wherein the authorization level indicates how many overbookings are allowed for the category on the future date;
- automatically providing a real-time price quote for the space based on the set of pricing rules, in response to determining that an additional overbooking is allowed for the category, based upon the accessing the authorization level;
- receiving an acceptance of the real-time price quote for the space from a user;
- overbooking a category space in the category, in response to the acceptance, wherein the overbooking comprises accepting a reservation for the category space for use on the future date even though none of the function spaces in the category are currently determined to be available on the future date;
- subsequent to the overbooking, mapping the category space to a specific function space in the category, wherein the specific function space satisfies the one or more of the plurality of criteria, and wherein the specific function space becomes available for reservation subsequent to the overbooking; and
- converting, after the mapping, the reservation for the category space to a reservation for the specific function space.

Thus, the method clearly allows space within a category to be overbooked, such that the space can be reserved, even though all of the specific function spaces in the category are currently unavailable. The method uses an authorization level for the category to determine whether overbooking is permissible. When specific function space within the category later

becomes available (e.g., due to a cancellation of another reservation), the category space can be mapped to the specific function space and the reservation is converted from a reservation for the category space to a reservation for the specific function space.

These features of the claim are not taught by the cited art. At best, the cited art discloses the use of waiting lists. Placing a customer on a waiting list is clearly not the same as accepting a reservation, as is done in the overbooking situation described in claim 1. Furthermore, the cited art neither teaches nor suggests any use of an authorization level to determine whether space within a particular category can be overbooked.

For at least the foregoing reasons, claim 1 is patentable over the cited art, as are its dependent claims 3, 6-8, and 25. Claims 9, 11, 14-17, 19, and 22-27 are patentable over the cited art for similar reasons.

As amended, claim 33 recites:

a data processing system receiving a request for a function space in a particular category,
wherein
the data processing system stores availability information for a plurality of
function spaces in a common reservation table,
the common reservation table concurrently stores information related to an
inventory of the plurality of function spaces, wherein the plurality of
function spaces is represented by a corresponding plurality of category
spaces, and wherein each of the category spaces represents a non-specific
unit of function space in the particular category,
each of the plurality of function spaces is a specific space located at one of a
plurality of properties,
the data processing system stores a set of pricing rules,
the request comprises a plurality of criteria,
the plurality of criteria comprises a ranking of facility quality, and
the pricing rules comprise rules for pricing the function space based on a time of
year;
a processor of a central reservation system data processing system determining an
availability of the function space, wherein

the determining comprises determining the availability based upon some or all of the availability information and one or more of the plurality of criteria, the determining comprises determining the availability contingent on a threshold revenue for the function space, the threshold revenue comprises an expected food and drink revenue associated with the request and revenue derived from an expected number of sleeping room rentals associated with the request, and the threshold revenue is determined based on a day part for which the function space is requested; automatically providing a real-time price quote for the request based on the set of pricing rules, wherein in response to having determined that a requested function space satisfying the plurality of criteria is unavailable, an alternative to the requested function space is presented, the alternative is selected as a closest approximation to the request, the alternative is selected based on being fully available, the pricing rules comprise general pricing rules and property-specific pricing rules, and the real-time price quote includes a pricing discount based on an attendance of an event, profit for one or more expected guest room rentals, and an expected profit on food and drink sales; in response to a user rejecting the real time price quote, presenting the alternative; receiving an acceptance of the real-time price quote for the function space from a user; establishing a reservation for one of the category spaces allocated for a length of time including a setup period and teardown period, wherein the length of time is determined in response to a selected setup style and the attendance; and converting, after a delay, the reservation for the one of the category spaces to a reservation for one of the function spaces.

The cited art fails to teach or suggest converting, after a delay, a reservation for one of several category spaces to a reservation for one of several function spaces, where the function

spaces are represented by a corresponding set of category spaces, where each of the category spaces represents a non-specific unit of function space in the particular category, and where the function spaces are each a specific space at a particular property.

The rejection of claim 33 relies upon Bingham to teach converting a reservation to a reservation for specific space. Office Action, page 17. At best, Bingham teaches that a planner can modify defaults prior to making a reservation (Bingham, paragraph 25), and that a meeting package definition page can be transmitted to a customer prior to the customer submitting a reservation request (Bingham, paragraph 29, describing FIG. 4). Neither section of Bingham discloses actually converting a reservation for a category space, which represents a non-specific unit of function space, into a reservation for a function space, which is a specific unit of function space at a particular property. In fact, the cited sections of Bingham fail to teach or suggest converting a reservation in any manner, let alone the specific manner recited in claim 33. Instead, the cited sections of Bingham suggest, at best, delaying making any reservation at all until after certain actions have occurred. None of the other references, which are not relied upon to teach this feature, appear to teach or suggest converting a reservation to another reservation either.

For at least the foregoing reasons, claim 33 is patentable over the cited art. The withdrawal of this rejection is respectfully requested.

CONCLUSION

Applicant submits that all claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is requested to telephone the undersigned.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

Respectfully submitted,

/Brenna A. Brock/

Brenna A. Brock
Attorney for Applicants
Reg. No. 48,509
Telephone: (512) 439-5087
Facsimile: (512) 439-5099